

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 006136.00005

In re U.S. Patent Application of VÄRE et al.)	
)	
Application No. 10/509,375)	Examiner: Pinkal R. Chokshi
)	
Filed: July 13, 2005)	Group Art Unit: 2425
)	
For: METHOD AND SYSTEM FOR ANNOUNCING)	Confirmation No. 3973
A TRANSPORT STREAM IN A DIGITAL)	
BROADCAST NETWORK)	

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir,

Applicants respectfully request review of the outstanding Final Office Action mailed October 14, 2009 ("Final Action") and the Advisory Action mailed March 25, 2010 in the above-identified application. No amendments are being filed with this request and this request is being filed with a Notice of Appeal. The review is requested for the reasons stated in the below remarks. Applicants hereby petition for a three month extension of time extending the due date to April 14, 2010. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

REMARKS

Claims 1-12, 17-22, 25-29, 31-35, 38, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP Patent EP 0917355 A1 to Szucs et al. in view of WO Publication 02/11328 to Ikeda et al.

Claims 13, 14, 16, 23, 30, and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szucs and Ikeda, in further view of US Patent 6,401,242 to Eyer et al.

Claims 15 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szucs, Ikeda, and Eyer, in further view of US Patent 5,671,219 to Jensen et al.

Claims 24, 37, and 41-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szucs and Ikeda, in further view of US Patent 6,965,770 to Walsh et al.

Applicants respectfully traverse for at least the following reasons.

The combination of Ikeda and Szucs, even if proper, does not disclose the claim 1 method comprising “splitting, by a processor, the at least one service information table into sub-tables, wherein each sub-table identifies a certain transport stream, and wherein said certain transport stream comprises a local transport stream of a certain cell.”

To reject claim 1, the Final Action concedes that Szucs does not disclose the claimed splitting (*see* Final Action, p. 4), and relies on Ikeda to remedy this deficiency. *See* Final Action at p. 4; *see also* Advisory Action at p. 2. The Advisory Action cites column 8, lines 1-32 and column 9, lines 3-18 of Ikeda and asserts that Ikeda discloses that a “[service information] SI table such as [network information table] NIT as defined by ARIB STD-B10, where NIT is transmitted in segmented form; NIT is segmented into network information section subtables, where each subtables refers to at least one transport stream id that is specific to a service area as represented in Figs. 4-6.” *See* Advisory Action, p. 2. Applicants respectfully disagree.

Notably, the cited lines of Ikeda do not disclose “splitting, by a processor, the at least one service information table into sub-tables, wherein each sub-table identifies a certain transport stream, and wherein said certain transport stream comprises a local transport stream of a certain cell,” as claimed. At column 8 lines 14-18, for instance, Ikeda discloses that a “NIT contains a link descriptor in a region to be used for describing information necessary for identifying the service provided in response to a request of a receiver for additional information relating to any specific item described in the SI (service information).” Emphasis added. These lines merely indicate that Ikeda’s receiver separately requests and receives the “additional information.” This means that Ikeda’s additional information is not directly available in a table. Because the “additional information” has to be separately requested, Ikeda’s “information necessary for identifying the service” does not include a local transport stream. Claim 1, in contrast, recites “splitting, by a processor, the at least one service information table into sub-tables, wherein each sub-table identifies a certain transport stream, and wherein said certain transport stream comprises a local transport stream of a certain cell.”

Thus, the combination of Ikeda and Szucs fails to disclose the claimed “splitting” or “local transport stream.”

Moreover, the combination of Ikeda and Szucs, even if proper, does not disclose the claim 1 method comprising “establishing a mother table configured to maintain a sub-table of the certain transport stream and sub-tables of adjacent transport streams of the certain transport stream, wherein said adjacent transport streams comprise transport streams of at least one neighboring cell of said certain cell.”

The instant application provides examples of mother tables that are used to solve a technical problem. In paragraph 35, for example, the instant application describes

“a method and an arrangement for defining a sub-table structure for SI tables, which may be used to split one big Service Information (SI) table into several smaller tables. Advantageously in broadcast transmission, the splitting into the smaller sub-tables (Sub-Ts) requires less transmitted bandwidth because all the SI do not need to be broadcast to a End User Terminal (EUT). Also, the sub-table division enables relatively easy creation of local SI tables because sub-tables can serve as a basis for local Transport Stream (TS) announcement. By dividing tables into smaller ones, the amount of unnecessary information transmitted for the EUT is reduced. The TSs of an entire broadcast network can be divided. Moreover, neighboring, or adjacent, TSs (cells) can announce and advertise their content to each other, and further to the EUT.”

See US 2006/01560366. The claimed mother table, however, cannot be considered as obvious since neither of the cited references disclose nor refer to anything similar.

To reject the claimed mother table, the Action again relies on Ikeda. The Advisory Action asserts column 9, lines 33-41 of Ikeda disclose that a “NIT (mother table), which includes subtables, is made to describe information on the transport streams being transmitted in the original service area and the adjacent service areas.” *See* Advisory Action, p .2. Applicants respectfully disagree.

None of these cited lines of Ikeda disclose establishing a mother table configured to maintain subtables that have been split from a service information table in the manner claimed. The cited lines of Ikeda read:

Note that the NIT does not need to describe all the information on the transport streams being transmitted in all the service areas by means of a terrestrial delivery system list and a service list. Alternatively, it may describe only the transport streams being transmitted in some service areas. For example, the NIT may be made to describe information on the transport streams being transmitted in the original service area and the adjacent service areas by means of a terrestrial delivery system list and service list.

See Ikeda, C9, L33-41. Contrary to the assertion made in the Advisory Action, the cited lines of Ikeda does not disclose that the NIT is established to maintain subtables that have been split from at least one service information table. Thus, Ikeda does not disclose the claimed splitting of a service information table into sub-tables in combination with establishing a mother table to maintain the subtables split from the service information table.

Moreover it would not have been obvious to combine Szucs and Ikeda since Szucs relates to fixed wired home network connected by serial busses (see Szucs at Abstract and at ¶ 1-3), whereas Ikeda relates to digital broadcasting system having a transmitter and a receiver (see Ikeda at C1, L8-14). As such, Szucs and Ikeda relate to different technical environments and problems, and would not have been obvious to combine.

Accordingly, the combination of Szucs and Ikeda, even if proper, fails to teach or suggest all of the features recited in claim 1 and hence does not establish a *prima facie* case of obviousness. Applicants respectfully submit that claim 1 is in condition for allowance and request withdrawal of the rejection under 35 U.S.C. § 103.

Applicants submit that each of claims 2-32 and 40-44 is allowable at least for reasons analogous to those given in support of claim 1.

CONCLUSION

For at least this reason, Applicants respectfully request reconsideration and reversal of the rejection. All issues having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the review panel believes the application is not in condition for allowance or there are any questions, the review panel is invited to contact the undersigned at (312) 463-5000.

Respectfully submitted,
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Date: April 14, 2010

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